

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Samuel Der-Yeghiayan	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	09 C 2704	DATE	10/14/2009
CASE TITLE	Fidelity Investments Life Insurance Company vs. Denise Squire, et al.		

DOCKET ENTRY TEXT

This matter is before the court on Fidelity Investments Life Insurance Company's (Plaintiff) motion to strike Defendant Joe Vaccaro's (Vaccaro) affirmative defenses [64]. Based on the Plaintiff's own allegations in the Amended Complaint, the facts alleged, under the circumstances of this case, do not adequately show a controversy between the parties having adverse legal interests that are of "sufficient immediacy" or ripeness to warrant the issuance of a declaratory judgment. *See Oneida Tribe of Indians of Wisconsin v. State of Wis.*, 951 F.2d 757, 760 (7th Cir. 1991). Therefore, this action is dismissed without prejudice. Plaintiff is given leave to move for reinstatement of this action within one year of this order or any extensions granted by the court. All pending motions are stricken as moot and without prejudice. Civil case terminated.

Docketing to mail notices.

Courtroom Deputy Initials:	maw
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